

## Minneapolis Passes Its Own Wage Theft Law

by Grant T. Collins - Monday, August 12, 2019



In response to the state's new wage theft law, the City of Minneapolis has passed its own wage theft law into a **local ordinance** that will go into effect on January 1, 2020. The new ordinance applies to any employee that works for an employer for at least 80 hours per year within the geographic boundaries of the City of Minneapolis.

The new Minneapolis ordinance mirrors Minnesota's new state law by requiring employers to (1) designate a regularly scheduled payday; (2) provide employees with "pre-hire notices" of employment terms and conditions; and (3) provide earnings statements at the end of each pay period.

### Ordinance Goes Farther Than State Law

The Minneapolis ordinance goes further, however, by requiring employers to include an employee's current balance of available sick and safe time (SST) hours on all earnings statements. The ordinance also requires the following information to be included on "pre-hire notices," in addition to state law requirements:

- The date when employment begins;
- A notice regarding SST rights;
- A statement that tip sharing is voluntary under state law (where applicable); and
- The overtime policy applicable to the employee's position (if any), including when overtime shall be paid and the applicable rate or rates of pay.

While employers may provide earning statements and pre-hire notices in electronic format, the ordinance provides that employees have a right to request and receive these documents in

writing if they desire.

The new ordinance also incorporates state standards regarding overtime, meal breaks, and rest breaks. This allows the city to pursue relief on behalf of the employee rather than turning the case over to state officials.

Finally, the ordinance provides for the publication of a list of entities with “outstanding wage obligations,” including unpaid relief to employees or fines. Organizations that appear on the list are barred from entering into contracts or bonds with the city and are at risk of losing their city license.

The Minneapolis Civil Rights Department will enforce the ordinance beginning Jan. 1, 2020. We can expect FAQs and other administrative guidance from the City in advance of the effective date.

## **Bottom Line**

Everyone seems to be jumping on the Wage Theft bandwagon. We will continue to monitor this story as it develops.

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